



Action Agenda

Board of Commissioners
September 24, 2009
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Thursday, September 24, 2009, at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:

Jack Smith, Chairman
Herb Frady, Vice Chairman
Lee Hearn
Robert Horgan
Eric Maxwell

Staff Present:

Jack Krakeel, County Administrator
Scott Bennett, County Attorney
Karen Morley, Chief Deputy Clerk
Floyd Jones, Deputy Clerk

Staff Absent:

Carol Chandler, Executive Assistant

Chairman Smith called the meeting to order.
Commissioner Hearn offered the Invocation
Pledge of Allegiance.

ACCEPTANCE OF AGENDA: COMMISSIONER HORGAN MADE A MOTION TO ACCEPT THE AGENDA AS PRESENTED. COMMISSIONER HEARN SECONDED THE MOTION. CHAIRMAN SMITH REQUEST ITEM F UNDER NEW BUSINESS BE REMOVED FROM THE AGENDA. COMMISSIONERS HORGAN AND HEARN ACCEPTED THE AMENDMENT TO THE MOTION TO ACCEPT THE AGENDA AS PRESENTED WITH THE EXCEPTION OF ITEM F UNDER NEW BUSINESS THAT WAS REMOVED. THE MOTION CARRIED 5-0.

PRESENTATION/RECOGNITION:

A. Recognition of Fire and Emergency Services personnel in saving the life of a heart attack victim.

DIRECTOR OF PUBLIC SAFETY ALLEN MCCULLOUGH INTRODUCED THE CREWS OF MEDIC 42 AND SQUAD 4 AND THE BOARD RECOGNIZED THEM FOR SAVING THE LIFE OF HEART ATTACK VICTIM TODD HELMANS ON AUGUST 28TH AT THE WINGS AND THINGS RESTAURANT IN FAYETTEVILLE.

PUBLIC HEARING:

B. Consideration of a Packaged Beer and Wine License for Sanil Enterprises, LLC d/b/a Davis Country Store, 1619 SR 92 South, Fayetteville, Georgia, Amir Ali Somani, Owner/Applicant. This property is located in Land Lot 247 of the 4th District, fronts on SR 92 South, and is zoned A-R. This is a Change of Ownership only.

COMMISSIONER HORGAN MADE A MOTION TO APPROVE THE PACKAGED BEER AND WINE LICENSE FOR SANIL ENTERPRISES, LLC d/b/a DAVIS COUNTRY STORE, 1619 SR 92 SOUTH, FAYETTEVILLE, GEORGIA. COMMISSIONER FRADY SECONDED THE MOTION. THE MOTION CARRIED 5-0.

- C. Consideration and approval of Resolution 2009-15 which approves the Fayette County 2009 Annual Report on Fire Services Impact Fees for FY2009 , including the Comprehensive Plan Amendments for updates to the Capital Improvements Element and Short-Term Work Program for FY2010-FY2014.

COMMISSIONER HORGAN MADE A MOTION TO APPROVE RESOLUTION 2009-15 REGARDING THE 2009 ANNUAL REPORT ON FIRE SERVICES IMPACT FEES FOR FY2009 INCLUDING THE COMPREHENSIVE PLAN AMENDMENTS FOR UPDATES TO THE CAPITAL IMPROVEMENTS ELEMENT AND SHORT-TERM WORK PROGRAM FOR FY2010-FY2014 AND TO AUTHORIZE TRANSMITTAL OF THE RESOLUTION TO THE ATLANTA REGIONAL COMMISSION FOR REGIONAL AND STATE REVIEW. COMMISSIONER FRADY SECONDED THE MOTION. THE MOTION CARRIED 5-0.

PUBLIC COMMENT:

GORDON FURR: Gordon Furr of Tyrone commented on the West Fayetteville Bypass. He felt the Bypass would have a huge impact on the County's water supply as a result of the drain pipes that would be installed in the County's greenspace areas. He also pointed out that there would be increased traffic on Sandy Creek Road that would impact citizens who lived in that area. He commented on the fire station in Tyrone and felt the septic tank for that station was repairable. He further remarked that Commissioner Horgan should resign as a member of the Fayette County Board of Health and felt he was not doing his job since he was not upset over the intrusion of the bypass on the County's wetlands.

TOM HALPIN: Tom Halpin commented on Phase III of the Bypass and the closeness of it to his subdivision Surrey Park. He questioned when signs would be posted that would let the citizens know exactly where Phase III was being proposed for construction. He said it was his understanding from County personnel that there were three or four plans being considered and after the County decided which plan would be the best for the County, signs would be posted and citizens would be notified. He urged the Board to let citizens know what was happening on Phase III before things started happening.

CONSENT AGENDA: COMMISSIONER HORGAN MADE A MOTION TO APPROVE CONSENT AGENDA ITEMS 1 - 5 AS PRESENTED. COMMISSIONER HEARN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

1. Approval of staff's request to replace chassis for Squad 4 and recommendation to award Bid No. 717 Crew Cab & Chassis in the amount of \$29,099 to Jacky Jones Ford Lincoln Mercury, Inc.
2. Approval of Emergency Management Agency's request for authorization for the Chairman to execute the FY'09 Performance Partnership Agreement and the FY'09 Performance Partnership Agreement Award from Georgia Management Agency.
3. Approval of request from the Sheriff's Department to authorize the Chairman to execute documents for the acquisition of two vehicles to be purchased with Federal Seizure Funds.

4. Approval of Sheriff's Office request to amend the Overtime Budget for the Fayette County Sheriff's Office Criminal Investigations Division by \$500 for reimbursement for employees assigned to work with various Federal Agencies.
5. Approval of minutes for Board of Commissioners' meetings held on September 2, 2009 and September 10, 2009.

OLD BUSINESS:

- D. Further discussion by Elections Supervisor Tom Sawyer concerning funding the cost of the one-percent Special Purpose Local Option Sales Tax Referendum scheduled for November 3, 2009.

COMMISSIONER HORGAN MADE A MOTION TO APPROVE THE ELECTIONS DEPARTMENT'S REQUEST TO TRANSFER UP TO \$35,000 FROM CONTINGENCY TO THE ELECTIONS DEPARTMENT'S BUDGET TO FUND THE COST OF CONDUCTING THE SPECIAL COUNTY-WIDE ELECTION ON NOVEMBER 3, 2009 FOR A REFERENDUM FOR A SPECIAL PURPOSE LOCAL OPTION SALES TAX WHICH ALSO INCLUDES MAILING OUT THE POSTCARD NOTICES AS SOON AS POSSIBLE TO MUNICIPAL VOTERS REGARDING THEIR POLLING LOCATION. COMMISSIONER FRADY SECONDED THE MOTION. THE MOTION CARRIED 5-0.

- E. Update from Consulting Engineer David Jaeger of Mallett Consulting, Inc. concerning a request from Coweta County in regards to individual certificates of elevation for properties that abut Lake McIntosh which lie within Coweta County.

COMMISSIONER FRADY MADE A MOTION TO TABLE THIS ITEM UNTIL FURTHER INFORMATION COULD BE OBTAINED. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

NEW BUSINESS:

- F. Consideration of Water Committee's recommendation that the City of Stockbridge be allowed to develop a plan that meets Corps of Engineers approval for use of the two wells at the Reeves Creek Mitigation site which is owned by Fayette County.

CHAIRMAN SMITH INTERJECTED THAT THIS ITEM WAS REMOVED FROM THE AGENDA.

ADMINISTRATOR'S REPORT:

NONE.

ATTORNEY'S REPORT:

REIMBURSEMENT AGREEMENT BETWEEN FAYETTE COUNTY AND THE PEACHTREE CITY AIRPORT

AUTHORITY: County Attorney Scott Bennett asked for the Board's consideration to authorize the Chairman to execute the Reimbursement Agreement in the amount of \$30,000 between Fayette County and the Peachtree City Airport Authority regarding the construction of an access drive to the Lake McIntosh Dam.

COMMISSIONER FRADY MADE A MOTION TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE REIMBURSEMENT AGREEMENT BETWEEN FAYETTE COUNTY AND THE PEACHTREE CITY AIRPORT AUTHORITY REGARDING THE CONSTRUCTION OF AN ACCESS DRIVE TO THE LAKE MCINTOSH DAM. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

STAFF REPORTS:
NONE.

BOARD REPORTS:
NONE.

EXECUTIVE SESSION: County Attorney Scott Bennett requested an Executive Session to discuss real estate acquisition.

COMMISSIONER HORGAN MADE A MOTION TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS REAL ESTATE ACQUISITION. COMMISSIONER HEARN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

REAL ESTATE ACQUISITION: County Attorney Scott Bennett and Consulting Engineer David Jaeger updated the Board on a matter of real estate acquisition.

Chairman Smith reconvened the meeting at this time and stated that a matter of real estate acquisition was discussed in Executive Session.

COMMISSIONER HORGAN MADE A MOTION TO AUTHORIZE THE CHAIRMAN TO EXECUTE AN EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT REAL ESTATE ACQUISITION WAS DISCUSSED IN EXECUTIVE SESSION. COMMISSIONER HEARN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

ADJOURNMENT: Hearing no further business to come before the Board, Chairman Smith adjourned the meeting at 8:25 p.m.

Karen Morley, Chief Deputy Clerk